

No. PD-____-18

**IN THE TEXAS COURT OF CRIMINAL APPEALS
AT AUSTIN, TEXAS**

FILED
COURT OF CRIMINAL APPEALS
11/2/2018
DEANA WILLIAMSON, CLERK

OBINNA EBIKAM, Appellant

v.

THE STATE OF TEXAS

**APPELLANT’S MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT’S PETITION FOR DISCRETIONARY REVIEW**

**TO THE HONORABLE JUDGES OF THE TEXAS COURT OF CRIMINAL
APPEALS:**

Comes now, Obinna Ebikam, Appellant in the above styled and numbered causes and pursuant to TEX. R. APP. P. 10.5(b) and 68.2(c) files this motion for extension of time to file Appellant’s Petition for Discretionary Review and would show this Honorable Court the following:

I.

On October 3, 2018, the Fourth Court of Appeals handed down a decision affirming Ebikam’s conviction for the offense of assault in cause number 04-18-00215-CR. *Ebikam v. State*, 2018 WL 4760126 (Tex. App.—San Antonio 2018,

no pet.). No motion for rehearing was filed and Ebikam's petition for discretionary review is due on November 2, 2018.

II.

Ebikam seeks a 30 day extension of the current deadline in which to file his petition for discretionary review. This request is based on the following facts which prevent counsel for Appellant from preparing the petition for discretionary review by the current deadline:

Counsel cannot meet the current deadline and needs a 30 day extension because the record on appeal is voluminous. Counsel was not retained to represent Ebikam on discretionary review until today, November 1, 2018. Filing of the petition for discretionary review cannot be accomplished by the current deadline while still effectively representing Ebikam on discretionary review in this Court.

III.

This is the first request for an extension to file Ebikam's petition for discretionary review.

PRAYER

Ebikam requests this Court grant the motion and extend the time to file his petition for discretionary review up to and including December 3, 2018.

Respectfully submitted,

/s/Richard E. Wetzel

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Attorney for Appellant

Obinna Ebikam

CERTIFICATE OF SERVICE

This is to certify a true and correct copy of this pleading was emailed to Counsel for the State of Texas, Andrew Warthen, Assistant District Attorney, at his Email address of awarthen@bexar.com on this the 1st day of November, 2018.

/s/ Richard E. Wetzel

Richard E. Wetzel

State Bar No. 21236300